

Notice of Allowability

Application No.

10/528,736

Examiner

Sanh D. Phu

Applicant(s)

NILSSON ET AL.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 4/16/2007.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 4/16/07.

Accordingly, claims 1-20 are currently pending.

REASONS FOR ALLOWANCE

2. Claims 1-20 are allowed.
3. The following is an examiner's statement of reasons for allowance:
 - Regarding to independent claim 1, none of prior art of record teaches or suggests a method of power control, as claimed. Dahlman et al (6,173,162), previously cited, teaches the claimed invention except that he fails to teach procedure of maintaining a calculated signal strength value for a channel at or above a predetermined minimum signal strength reference value; and determining a signal strength reference value to be used for all of the plurality of channels in use, as the highest of all of the calculated signal strength reference values of the plurality of channels, based at least on reasons set forth in REMARKS, pages 8-9, of the Amendment filed on 4/16/07. It would not have been obvious for a person skilled in the art to implement Dahlman et al for leading such the implementation to the claimed invention.

-Regarding to independent claim 12, none of prior art of record teaches or suggests a mobile station performing a method as claimed. Dahlman et al teaches the claimed invention except that he fails to teach that the method comprises procedure of maintaining a calculated signal strength value for a channel at or above a predetermined minimum signal strength reference value; and determining a signal strength reference value to be used for all of the plurality of channels in use, as the highest of all of the calculated signal strength reference values of the plurality of channels, based at least on reasons set forth in REMARKS, pages 8-9, of the Amendment filed on 4/16/07. It would not have been obvious for a person skilled in the art to implement Dahlman et al for leading such the implementation to the claimed invention.

-Regarding to independent claim 15, none of prior art of record teaches or suggests a base station performing a method as claimed. Dahlman et al teaches the claimed invention except that he fails to teach that the method comprises procedure of maintaining a calculated signal strength value for a channel at or above a predetermined minimum signal strength reference value; and determining a signal strength reference value to be used for all of the

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plurality of channels in use, as the highest of all of the calculated signal strength reference values of the plurality of channels, based at least on reasons set forth in REMARKS, pages 8–9, of the Amendment filed on 4/16/07. It would not have been obvious for a person skilled in the art to implement Dahlman et al for leading such the implementation to the claimed invention.

–Regarding to independent claim 18, none of prior art of record teaches or suggests a telecommunications network performing a method as claimed. Dahlman et al teaches the claimed invention except that he fails to teach that the method comprises procedure of maintaining a calculated signal strength value for a channel at or above a predetermined minimum signal strength reference value; and determining a signal strength reference value to be used for all of the plurality of channels in use, as the highest of all of the calculated signal strength reference values of the plurality of channels, based at least on reasons set forth in REMARKS, pages 8–9, of the Amendment filed on 4/16/07. It would not have been obvious for a person skilled in the art to implement Dahlman et al for leading such the implementation to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Th from 7:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sanh D. Phu
Patent Examiner
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SP

SANH D. PHU
PATENT EXAMINER

5/30/07

